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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,095	08/25/2000	Akella V.S. Satya	KLA1P016F	4627

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EXAMINER
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VU, QUANG D

ART UNIT	PAPER NUMBER
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2811

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/648,095

Applicant(s)

SATYA ET AL.

Examiner

Quang D Vu

Art Unit

2811

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 108-121.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
**DONGHEE KANG**  
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: It is argued, in page 2 of the remarks, that Satya et al. and Chiang et al. do not teach or suggest forming a test structure on the die, wherein the test structure permits voltage contrast testing. This argument is not convincing because the applicant does not claim a testing is performed on a test structure that serves as a VC structure as well as a dummy structure. However, the combined device (Satya et al. and Chiang et al.) shows the claimed limitations of claims 108, 109 and 114-117 for the reasons that are discussed on the last office action.

It is argued, in page 2 of the remarks, that Satya et al., Chiang et al. and Huang et al. do not teach or suggest the claimed limitations of claims 110, 112, 113, 118 and 120. This argument is not convincing because the combined device (Satya et al. and Chiang et al.) shows the claimed limitations of claims 108, 109 and 114-117 above. Therefore, the combined device (Satya et al., Chiang et al. and Huang et al.) shows the claimed limitations of claims 110, 112, 113, 118 and 120 for the reasons that are discussed on the last office action.

It is argued, in page 2 of the remarks, that Satya et al., Chiang et al., Huang et al. and Bennett do not teach or suggest the claimed limitations of claims 111, 119 and 121. This argument is not convincing because the combined device (Satya et al., Chiang et al. and Huang et al.) shows the claimed limitations of claims 110, 118 and 120 above. Therefore, the combined device (Satya et al., Chiang et al., Huang et al. and Bennett) shows the claimed limitations of claims 111, 119 and 121 for the reasons that are discussed on the last office action.